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ABSTRACT

This is a transcript of the congressional hearing held on April, 30, 1981, on the Consolidated Refugee Education Assistance Act. The text of the bill, H.R. 3076, is contained in the transcript along with various statements, letters, and supplemental materials. Statements by the following education professionals are included: (1) Paul Bell, deputy superintendent, Dade County Public Schools, Florida; (2) Steve Sauls, Washington representative, Florida State Department of Education; (3) JoAnne Weinberger, commissioner of policy management, Pennsylvania Department of Education; (4) Don White, deputy superintendent for congressional relations, California State Department of Education; and (5) Roberta Wojton, Washington assistant, Illinois State Board of Education. In addition, reports on the number of recent refugees arriving in the United States, the excess costs of the Cuban Haitian Program in the Dade County Public Schools, and the number of refugee children eligible for government aid in Pennsylvania are included. (APM)

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HEARING ON THE CONSOLIDATED REFUGEE EDUCATION ASSISTANCE ACT

HEARING BEFORE THE SUBCOMMITTEE ON ELEMENTARY, SECONDARY, AND VOCATIONAL EDUCATION OF THE COMMITTEE ON EDUCATION AND LABOR HOUSE OF REPRESENTATIVES NINETY-SEVENTH CONGRESS FIRST SESSION ON H.R. 3076 TO CONSOLIDATE EDUCATIONAL ASSISTANCE PROGRAMS FOR REFUGEES

HEARING HELD IN WASHINGTON, D.C., ON APRIL 30, 1981

Printed for the use of the Committee on Education and Labor



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HEARING ON THE CONSOLIDATED REFUGEE EDUCATION ASSISTANCE ACT

THURSDAY, APRIL 30, 1981

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ELEMENTARY, SECONDARY,
AND VOCATIONAL EDUCATION,
COMMITTEE ON EDUCATION AND LABOR,
Washington, D.C.

The subcommittee met, pursuant to call, at 9:35 a.m., in room 2175, Rayburn House Office Building, Hon. Carl D. Perkins (chairman) presiding.

Members present: Representatives Perkins, Kildee, Goodling, and Craig.

Staff present: John F. Jennings, counsel; and Richard DiEugenio, minority senior legislative associate.

Chairman PERKINS. The subcommittee will come to order.

This morning the Subcommittee on Elementary, Secondary, and Vocational Education is holding a hearing on H.R. 3076, a bill to consolidate educational assistance programs for refugees. Mr. Goodling introduced this legislation on April 7.

As I understand it, our colleague's bill would fold the following separate refugee education programs into a single permanent program: the refugee program under section 4A of the impact aid law, the Cuban-Haitian Refugee Education Assistance Act, titles I and II of the Indochina Refugee Children Assistance Act and the Indochinese refugee program under the Adult Education Act.

[Text of H.R. 3076 follows:]

[H.R. 3076, 97th Congress, 1st Session]

A BILL To consolidate educational assistance programs for refugees

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Consolidated Refugee Education Assistance Act".

REPEALER

SEC. 2. The following provisions are hereby repealed:

- (1) Section 4A of the Act of September 30, 1950 (Public Law 81-874).
- (2) Titles I and II of the Indochina Refugee Children Assistance Act of 1976.
- (3) Section 317 of the Adult Education Act.

AMENDMENTS TO TITLE I OF THE REFUGEE EDUCATION ASSISTANCE ACT OF 1980

SEC. 3. (a)(1) Section 101 of the Refugee Education Assistance Act of 1980 is amended—

(1)

(A) by striking out paragraph (1) and by redesignating paragraphs (2) through (5) as paragraphs (1) through (4), respectively; and

(B) by amending paragraph (3) (as so redesignated) to read as follows:

"(3) The term 'refugee' means an alien who—

"(A) has been admitted into the United States as a refugee under section 207 of the Immigration and Nationality Act;

"(B) has been paroled into the United States as a refugee by the Attorney General pursuant to section 212(d)(5) of such Act; or

"(C) is an applicant for asylum, or has been granted asylum, in the United States; or

"(D) has fled from the alien's country of origin and has, pursuant to an Executive order of the President, been permitted to enter the United States and remain in the United States indefinitely for humanitarian reasons; but only during the 5-year period beginning on the date the alien first entered the United States as such a refugee or otherwise acquired the status of such a refugee."

(2) For purposes of the Refugee Education Assistance Act of 1980, an alien who entered the United States on or after November 1, 1979, and is in the United States with the immigration status of a Cuban-Haitian entrant (status pending) shall be considered to be a refugee (within the meaning of section 101(3) of such Act), but only during the five-year period beginning on the date the alien first entered the United States as such an entrant or otherwise first acquired such status.

(b) Section 102(a) of the Refugee Education Assistance Act of 1980 is amended by striking out "for each of the fiscal years 1981, 1982, and 1983".

(c) Title I of the Refugee Education Assistance Act of 1980 is amended by adding at the end thereof the following new section:

"CONSULTATION WITH OTHER AGENCIES

"Sec. 106. To the extent that may be appropriate to facilitate the determination of the amount of any reductions under sections 201(b)(2), 301(b)(3), and 401(b)(2), the Secretary shall consult with the heads of other agencies providing assistance to refugees in order to secure information concerning the disbursement of funds for educational purposes under programs administered by them and provide, wherever feasible, for coordination among those programs and the programs under titles II through IV of this Act."

AMENDMENTS TO TITLE II OF THE REFUGEE EDUCATION ASSISTANCE ACT OF 1980

SEC. 4. (a) Section 201 of the Refugee Education Assistance Act of 1980 is amended—

(1) in subsection (a)—

(A) by striking out "for each of the fiscal years 1981, 1982, and 1983" and inserting in lieu thereof "for each fiscal year"; and

(B) by striking out "Cuban and Haitian refugee children" each place it appears and inserting in lieu thereof "refugees";

(2) in subsection (b)(1)—

(A) by striking out "Cuban and Haitian refugee children" and inserting in lieu thereof "refugees";

(B) by striking out ", for any fiscal year described in subsection (a)," and inserting in lieu thereof "for any fiscal year"; and

(C) by striking out "\$450" and inserting in lieu thereof "\$400";

(3) by amending the first sentence of subsection (b)(2) to read as follows: "The amount of the grant to which a State educational agency is otherwise entitled for any fiscal year, as determined under paragraph (1), shall be reduced by the amounts made available for such fiscal year under any other Federal law (other than section 303 of the Elementary and Secondary Education Act of 1965) for expenditure within the state for the same purposes as those for which funds are made available under this title, except that the reduction shall be made only to the extent that (A) such amounts are made available for such purposes specifically because of the refugee, parolee, asylee status of the individuals to be served by such funds, and (B) such amounts are made available to individuals eligible for services under this title."; and

(4) in subsection (c), by striking out "Cuban and Haitian refugee children" and inserting in lieu thereof "refugees".

(b) Section 202(a) of the Refugee Education Assistance Act of 1980 is amended—

(1) in paragraph (2), by inserting before the semicolon ", subject to any reductions in payments for those local educational agencies identified under

paragraph (3) to which funds described by section 201(b)(2) are made available for the same purposes under other Federal laws";

(2) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(3) by inserting after paragraph (2) the following:

"(3) specify the amount of funds described by section 201(b)(2) which are made available under other Federal laws for expenditure within the State for the same purposes as those for which funds are made available under this title and the local educational agencies to which such funds are made available;"

AMENDMENTS TO TITLE III OF THE REFUGEE EDUCATION ASSISTANCE ACT OF 1980

SEC. 5. (a) Section 301 of the Refugee Education Assistance Act of 1980 is amended—

(1) in subsection (a) by striking out "for each of the fiscal years 1981, 1982, and 1983" and inserting in lieu thereof "for each fiscal year";

(2) by amending subsection (b)(1) to read as follows:

"(b)(1) Except as provided in paragraph (3) of this subsection and in subsections (c) and (d) of this section, the amount of the grant to which a State educational agency is entitled under this title for any fiscal year shall be equal to the sum of—

"(A) the amount equal to the product of (i) the number of refugees enrolled during the period for which the determination is made in elementary or secondary public schools under the jurisdiction of each local educational agency described under paragraph (2) within that State, or in any elementary or secondary nonpublic school within the district served by each such local educational agency, who were not enrolled in schools in any State during any preceding school year, multiplied by (ii) \$700;

"(B) the amount equal to the product of (i) the number of refugees enrolled during the period for which the determination is made in elementary or secondary public schools under the jurisdiction of each local educational agency described under paragraph (2) within that State, or in any elementary or secondary nonpublic school within the district served by each such local educational agency, who were enrolled in schools in any State during only one preceding school year, multiplied by (ii) \$500; and

"(C) the product of (i) the number of refugees enrolled during the period for which the determination is made in elementary or secondary public schools under the jurisdiction of each local educational agency described under paragraph (2) within that State, or in any elementary or secondary nonpublic school within the district served by each such local educational agency, who were enrolled in schools in any State during not more than two preceding school years (other than any refugees described by subparagraph (B)(i)), multiplied by (ii) \$300.

(3) in subsection (b)(2) by striking out "Cuban and Haitian refugee children and Indochinese refugee children" and inserting in lieu thereof "refugees"; and

(4) in subsection (b)(3)—

(A) by striking out "Cuban and Haitian refugee children and Indochinese refugee children" and inserting in lieu thereof "refugees"; and

(B) in the first sentence, by striking out "except that" and all that follows through the period and inserting in lieu thereof "except that no reduction under this paragraph shall be made for any funds made available to the State under section 303 of the Elementary and Secondary Education Act of 1965."; and

(5) in subsection (b)(5), by striking out "Cuban and Haitian refugee children who meet the requirements of section 101(1)" and inserting in lieu thereof "refugees who meet the requirements of section 101(4)"; and

(6) in subsection (c), by striking out "Cuban and Haitian refugee children and Indochinese refugee children" and inserting in lieu thereof "refugees".

(b) Section 302 of the Refugee Education Assistance Act of 1980 is amended by striking out "Cuban and Haitian refugee children and Indochinese refugee children" each place it appears and inserting in lieu thereof "refugees".

(c) Section 303 of the Refugee Education Assistance Act of 1980 is amended—

(1) in paragraph (3), by inserting before the semicolon ", subject to any reductions in payments for local educational agencies identified under paragraph (5) to take into account the funds described by section 301(b)(3) that are made available for educational, or education-related, services or activities for refugees enrolled in elementary or secondary public schools under the jurisdiction of such agencies or elementary or secondary nonpublic schools within the districts served by such agencies";

(2) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively;

(3) by inserting after paragraph (4) the following:

"(5) specify (A) the amount of funds described by section 301(b)(3) that are made available under other Federal laws to agencies or other entities for educational, or education-related, services or activities within the State because of a significant concentration of refugees, and (B) the local educational agencies within whose districts are refugees provided services from such funds who are enrolled in elementary or secondary schools under the jurisdiction of such agencies, or in elementary or secondary nonpublic schools served by such agencies;" and

(4) in paragraph (7) as so redesignated, by striking out "Cuban and Haitian refugee children and Indochinese refugee children" and inserting in lieu thereof "refugees".

AMENDMENTS TO TITLE IV OF THE REFUGEE EDUCATION ASSISTANCE ACT OF 1980

Sec. 6. (a) Title IV of the Refugee Education Assistance Act of 1980 is amended by striking out "Cuban and Haitian refugee adults" and "Haitian and Cuban refugee adults" each place such terms appear and inserting in lieu thereof "refugees".

(b)(1) Section 401(a) is amended by striking out "for each of the fiscal years 1982 and 1983" and inserting in lieu thereof "for each fiscal year beginning after September 30, 1981."

(2) The first sentence of section 401(b)(2) of the Refugee Education Assistance Act of 1980 is amended to read as follows: "The amount of the grant to which a State educational agency is otherwise entitled for any fiscal year, as determined under paragraph (1), shall be reduced by the amounts made available for such fiscal year under any other Federal law (other than section 303 of the Elementary and Secondary Education Act of 1965) for expenditure within the State for the same purposes as those for which funds are made available under this title, except that the reduction shall be made only to the extent that (A) such amounts are made available for such purposes specifically because of the refugee, parolee, or asylee status of the individuals to be served by such funds, and (B) the recipients of such amounts are eligible for services under this title."

(c) Section 403 of the Refugee Education Assistance Act of 1980 is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following:

"(2) specify the amount of reduction required under section 401(b)(2);"

EFFECTIVE DATE

SEC. 7. This Act shall take effect on October 1, 1981.

Chairman PERKINS. I would like to commend our colleague, Mr. Goodling, for his commitment and understanding of refugee problems. I know he has given a lot of thought to this issue and we value his expertise in this area. As a member of both this committee and the Foreign Affairs Committee, he is able to bring a broad perspective to refugee issues.

Today we will hear from a panel of representatives of State and local educational agencies that have substantial numbers of refugees. We will be interested to hear their thoughts on this legislation.

Let me say in conclusion that it is my purpose to cooperate wholeheartedly with Mr. Goodling.

A quorum is present.

Mr. GOODLING. Thank you, Mr. Chairman.

I think what I should first of all say is that the refugee problem is not something that is over with. It is something that is just beginning, in my estimation from sitting on both the Education and Labor Committee and the Foreign Affairs Committee. We have to stop this business of piecemealing and reacting when the situation hits. Hopefully we can come up with a plan with your help

that will give us an opportunity to meet all these challenges, and the school districts in addition to everyone else will know in advance how it is going to be handled so there is no question as to whether local school districts are caught short or how they are going to fund both the student part and the adult education part.

So I think we want to view my piece of legislation just as a vehicle for launching an effort to define a broad and uniform Federal policy for refugee education assistance. What I have put together is something that can be modified and corrected, so that we do have the best possible piece of legislation.

The purpose of the hearing is to establish for the record suggestions that might further improve the bill and make an overall effort to create a comprehensive and rational plan for providing refugee education assistance. The key concepts that we wish to incorporate are permanent authorization, and a distribution formula recognizing the variation of costs, maximum reasonable eligibility limits, gradually reduced assistance, special assistance for highly impacted districts, assistance for adult education for refugees, offsets to avoid duplication of payment under other general refugee assistance programs and finally that the Federal Government does have a responsibility in this area.

I think probably the last is the most important part of the whole idea, so that we are on record as having a responsibility in this area.

I might say that I was very interested in listening the day before yesterday, to Montgomery County's report on their most recent achievement tests and how pleased they were that those scores had improved and then they listed how they had improved in what order. According to the report, Asians had improved the most. That either says something great for them or something great for the program that was offered them or something not so good for those of us who have been here a long time. I also noticed in the district before I came here, their strong desire to achieve and to be part of the society. I think that drives them to work hard and achieve.

So at this time, Mr. Chairman, we will have the panel come around the table. We will start with Ms. Weinberger first. She is the commissioner of policy management in the Pennsylvania Department of Education.

We are very happy to have you testify first. I noticed in quickly reading the testimonies I have that you can understand why we have problems designing legislation, because there is contradiction in some of those of you who will be testifying. So we will be very happy to hear your testimony and then our assistants will pull together ideas that could improve the bill. We will then see how quickly we can get the administration to understand how important this is. Having the assurance of my chairman, we shouldn't have any problem in committee, knowing that we have a substantial number of big States, votes, and concern for this issue.

I don't know if I prefaced my remarks but I should have said that this is offered on behalf of a large number of youngsters in addition to a large portion of adults in the adult education program. I want to point out that this is not for Bill Goodling's district because it probably will cost his district. It will not offer any help from the Federal Government.

So JoAnne, please go ahead.

Ms. WEINBERGER. Thank you very much, Representative Goodling.

**STATEMENT OF JOANNE WEINBERGER, COMMISSIONER OF
POLICY MANAGEMENT, PENNSYLVANIA DEPARTMENT OF
EDUCATION**

Ms. WEINBERGER. I appreciate the opportunity to appear before the subcommittee to discuss the Commonwealth's views on H.R. 3076, the Consolidated Refugee Education Assistance Act. You are to be commended for your willingness to take a broad look at Federal refugee education and consider establishment of a permanent authorization. We appreciate congressional recognition of the added costs incurred by school districts with the influx of refugees.

We generally support the bill. We agree that broad and uniform Federal policy on assistance for refugee education is needed, that Federal support is appropriate and that assistance should be given based on refugee population and be in the form of block grants to the State education agency. We especially support the retention of a formula grant program for adult refugees.

We also agree that refugee education is an appropriate area to consolidate because there are several sources of authority for very similar programs: the special impact aid program (Public Law 81-874 as amended by Public Law 96-374), the Indochina refugee children assistance program (Public Law 94-405), emergency adult education program for Indochina refugees (Public Law 91-230 as amended by Public Law 94-405), education services for Cuban and Haitian children (Public Law 95-561, sec. 303), transition program for refugee children (Public Law 96-212) and programs under the Refugee Education Assistance Act (Public Law 96-422).

A common source of statutory authority and appropriations will make the provision of services for refugees more effective and easier to administer. However there are several issues that we believe H.R. 3076 should address: namely, the consolidation of more of the refugee assistance programs; second, provision of a formula recognizing variation of costs based on educational level and tenure in the United States; third, provision of State education administration financial support; and fourth, further definition of the Federal Government's role in refugee education.

Before I describe the rationale for our issues, I would like to give you some general information about Pennsylvania's involvement in refugee education. As you know, several States, including Pennsylvania, are heavily affected by the influx and settlement of refugees. For example, the entrant population of over 240,000 Indochinese refugees was concentrated in California, Texas, Washington, and Pennsylvania. Pennsylvania alone received over 19,000; and overall, our school-age population of refugees tripled in 1 year.

Last July Robert G. Scanlon, the Secretary of Education for the Commonwealth, testified before you on issues related to the Cuban resettlement. At that point in time there were over 19,000 Cuban refugees living in Fort Indiantown Gap. Secretary Scanlon cited the importance and the cost of providing basic education programs for children and adults. Many of those refugees have now settled in Pennsylvania and over 7,000 children are currently being served in

Pennsylvania schools under the transition program and the educational services for Cuban and Haitian entrant children program. (See appendix A.)

We are also serving adult refugees under the adult programs in the Refugee Act of 1980 and through general programs authorized by the Adult Education Act. Under the latter program, refugees attend English as a second language classes with other students.

Through the administration of these programs, Pennsylvania has developed experience and expertise in refugee education. Based on this experience we would like to make the following recommendations.

First, the consolidation bill should include all relevant acts which have been implemented. In particular, we are concerned about the fact that education programs authorized under the Refugee Act of 1980 (Public Law 96-212) are not included in the act. Section 311 (A)(2) of that act specifically authorizes funds to support educational services for refugee children in elementary and secondary schools. The act also authorizes language training programs for refugee adults in several other subsections of section 311.

The educational programs authorized by that act should be included in the proposed H.R. 3076 consolidation: for two reasons. First, the proposed bill requires that funds available to State education agencies be reduced by the amounts received under other acts. Since the basis of allocation to SEAs and the local education agencies of funds under different acts may be different, inequities and confusion may result.

For example, under the current proposal an SEA's award under H.R. 3076 would be reduced by the amount of money the SEA received under the Refugee Act of 1980. The formula under H.R. 3076 for the local education agencies basic education programs provide a flat fee or a sliding scale based only on length of residence or tenure in the United States, whereas the regulations for the Refugee Act require allocation of funds to LEA's on tenure and educational level. The problem is worse with regard to educational programs for adults because the Refugee Act combines adult education programs with other noneducation programs.

Since H.R. 3076 requires the SEA grant to be reduced by other funds, we are concerned that the reduction will not be equitable.

Second, we advocate complete consolidation of adult programs because it is the State education agency which has the expertise for providing education. The State education agency has control over the established adult education delivery system and can insure the provision of quality services. Our concern with regard to children's programs is not as great since those funds are already awarded to State education agencies.

Our second recommendation would be that the formula for general assistance for local education agencies (title II) be weighted to reflect the education level of refugee children and their tenure in the United States. The proposed system does not reflect the costs as directly related to tenure in the United States, nor does it recognize the differences in the cost of regular education between elementary and secondary levels. Funds under the current Refugee Education Assistance Act provided education services for Cuban and Haitian entrant children. The funds were evenly distributed

on a per capita basis, and this was appropriate because it was the first year of their residence. The system also recognized that it is the first year that has the heaviest impact on school districts.

Since H.R. 3076 proposes to serve all refugee children, the formula should recognize: First, that services for the first year of the refugee's residence are critical and second, there are measurable differences in the cost of educating elementary and secondary students.

We recommend the establishment of a system such as the one used in the transition program for refugee children as authorized by the Refugee Act of 1980.

[Table submitted by JoAnne Weinberger follows:]

Recency of arrival in the United States (in years)	Weighting factors by school level	
	Elementary	Secondary
Less than 1	10	10
1 to 2	7	9
2 to 3	4	7
3 to 4	1	3
More than 4	0	0

Ms. WEINBERGER. Use of this system would also provide a measure for a reasonable decline in aid as the refugee's residence increased. This system should be used to allocate funds to the States, and the States in turn should use it to allocate funds to the LEAs.

Our third recommendation would be that the bill should provide support for State education agency administration expenses. Although the block grant system reduces the regulatory burden, the SEA will still have expenses for developing a State plan, data collection, technical assistance and teacher training. We would recommend a 10-percent statutory set-aside for SEA administration.

Our fourth recommendation would be that the bill should expand the definition of the Federal role in refugee education. We are in complete support that services for refugees is an appropriate area for Federal policy. This Federal policy is recognized by the current Refugee Education Assistance Act and by H.R. 3076. We are pleased that the Federal Government is continuing to assume responsibility for leadership through assistance programs. We support the general provision which requires consultation among Federal agencies.

However we believe there are additional opportunities for national leadership. We would support the expansion of the National Indochinese Clearinghouse to include all refugees. We believe that the Federal Government could serve as a national center for research evaluation and resources. This function would assist the activities of the States in refugee education.

In conclusion, first we support the consolidation of all refugee education assistance programs. Second, we believe the funding formula should recognize that the costs involved in serving refugees vary with education level and tenure in the United States. Third, we believe that the bill should provide a statutory set-aside for State education agency administrative expenses. And fourth, the

bill should thoroughly address the appropriate Federal role for refugee education assistance.

I thank you for this opportunity to share the Commonwealth's views, and I would be happy to answer any questions you have. [Attachment to JoAnne Weinberger's statement follows:]

APPENDIX A.—GRADE KINDERGARTEN TO 12 ELIGIBLE CHILDREN IN PENNSYLVANIA PUBLIC AND NONPROFIT PRIVATE SCHOOLS BY REGENCY OF ARRIVAL IN THE UNITED STATES

[As of Jan. 12, 1981]

Tenure in United States	Number of eligible children by program		
	Indochinese ¹	Other ²	Cuban and Haitian children ²
Less than 1 year	2,803	2,285	124
1—up to 2 years	1,003	251	0
2—up to 3 years	326	118	0
3—up to 4 years	179	30	0
Total (7,119)	4,311	2,684	124

¹ Transition program for refugee children.

² Education services for Cuban and Haitian entrant children.

Mr. GOODLING. Thank you.

We will have everyone testify first and then we will get into the question and answer period.

Mr. Don White, deputy superintendent for congressional relations, California State Department of Education, is certainly not a stranger before us.

Mr. WHITE. Thank you, Mr. Goodling.

[The prepared testimony of Don White follows:]

PREPARED TESTIMONY OF DON WHITE, DEPUTY SUPERINTENDENT FOR CONGRESSIONAL RELATIONS, CALIFORNIA STATE DEPARTMENT OF EDUCATION

Mr. Chairman, I want to thank you for this opportunity to appear before you and testify on this proposed legislation to consolidate refugee education programs.

California has been the state most severely impacted by the influx of refugees since movement of Indochinese refugees began in 1974. As a result, the California State Department of Education has been deeply involved in refugee legislation. I thought that the Subcommittee might be interested in the history of refugee education legislation and funding, which is as follows:

1. The schools received payments in fiscal year 1976 under the discretionary authority in the Indochina Migration and Refugee Assistance Act of 1975, Public Law 94-23. These payments amounted to \$300 per refugee child for a school district having up to 100 refugee children, or 1 percent of its enrollment, whichever was less. For districts above that threshold, the payment was \$600 per child. A total of about \$22 million was expended under this program.

2. Then, Congress passed the Cranston Act, the Indochina Refugee Children Assistance Act of 1976, Public Law 94-405. It provided the same \$300 and \$600 amounts as the previous program. \$18.5 million was appropriated. This money was paid late in fiscal 1977, and much of it was carried over by the schools into 1978 under the Tydings provision.

3. In the Education Amendments of 1978, Public Law 95-561, Senator Hayakawa sponsored an amendment by which the refugee education program was extended to 1981 and the formula was changed to authorize \$450 per child. An appropriation of \$12 million was made in the winter, 1979, supplemental appropriations bill, Public Law 96-123. This worked out to an average of about \$181 per refugee child.

4. In the July, 1980 supplemental appropriations Act, Public Law 96-304, \$23 million was included in the Health and Human Services appropriation and earmarked for refugee education under the discretionary provisions of the Refugee Act of 1980, Public Law 96-212. This money was distributed in March 1981 by the Education Department, under an interagency agreement with HHS. The payments,

which amounted to \$166 per child, are intended for use in the 1980-81 school year. This transition program for refugee children primarily services Indochinese refugee children and does not include Cuban/Haitian children. Attachment A will give you the state-by-state list of numbers of eligible children and grant awards.

5. For the Cuban/Haitian refugee children, about \$7.7 million has been distributed in fiscal 1981 under the discretionary funds of the Secretary of Education, Sec. 303 of the Elementary and Secondary Education Act as amended, Public Law 95-561. This distribution amounted to \$307 per child, and Attachment B will give you the state distribution figures. There is no budgetary request for this activity in fiscal 1982.

6. The 1981 continuing resolution, Public Law 96-536, appropriates \$44 million for refugee education, again under the Refugee Act of 1980. These funds are expected to be distributed early in the fall of 1981, for the 1981-82 school year.

7. The Reagan administration's fiscal year 1982 budget includes a request for \$21 million for this program, for the 1982-83 school year.

For possible use as a part of your record on this matter I am also submitting to the Subcommittee copies of a statement by Shepard C. Lowman, the Deputy Assistant Secretary of State for Asian Programs, before the California State Senate Finance Committee at a hearing here in Washington April 13 of this year.

In this statement, Assistant Secretary Lowman reviews the present and projected flow of refugees into the United States. Here are a few figures from his testimony:

The actual admissions into the United States of Indochinese refugees during the first six months of 1981 have averaged about 10,000 per month.

It is estimated that admissions during the last six months of this year may average about 14,000 to 15,000 per month.

The State Department's initial estimates for fiscal 1982 admissions call for 144,000 Indochinese refugee admissions, or an average flow of 12,000 per month.

Although there is hope for a gradual decline in the refugee flow in future years, the camp populations in Southeast Asia still exceed 300,000, and arrivals in the camps still average 10,000 per month, so it is obvious that a continuing though declining program will be required for several more years.

I have submitted these Department of State figures in order to help the members of the Subcommittee understand that the refugee education problem will be with us for some years, and will continue to be a very serious problem for the school districts which are impacted by refugee children.

Turning now to H.R. 3076, I want to compliment Mr. Goodling for his constructive leadership in proposing a consolidation of refugee education programs, and your Subcommittee for initiating action on the matter.

It is of course a fact that the refugee education funding which we are currently receiving, and that which is budgeted for future years, is under the general refugee authority, Public Law 96-212, which would not be consolidated under your proposed bill. Since the money is flowing, albeit in very small amounts, to our schools, and is budgeted for availability in the future, we would be very much concerned if there were any proposal to change this general authority.

I note, however, that your bill would require that refugee education benefits received under other programs be deducted from the amounts available, so that there should be no double payment problem if your bill passes and if funded, as I hope it will be.

One way in which your bill might be improved, in my opinion, would be to use the point system for award of funds to local school districts which is included in the regulations on the present discretionary program. I believe my colleague from Pennsylvania is covering this matter in her testimony, and I will therefore simply endorse the idea as a fair and equitable means of providing funding for the education of refugee children.

I have one additional point as regards H.R. 3076. It provides that only 1 percent of the funds flowing to a State can be used for State administration of the program, and I know from experience that such an amount would be grossly inadequate.

Refugee education is a highly specialized activity, requiring professional services at the State level which must be furnished by qualified and experienced personnel who in many cases must have particular language capabilities. Workshops must be conducted, and specialized publications prepared. There is no way in which these services can adequately be preformed with the funds which would be available on a 1 percent basis.

In the interests of providing vitally necessary services to the refugee children, I therefore urge that you increase the State administrative allowance to 5 percent of the funds flowing into the State under the program.

I greatly appreciate the opportunity to appear before your Subcommittee, Mr. Chairman, and I hope that my testimony will assist the Subcommittee in its consideration of this legislation.

ATTACHMENT A.—GRANT AWARDS BY STATES

(Transition program for refugee children, fiscal year 1981)

States	Number of eligible children	Amount of award
Alabama	497	\$79,699
Alaska		(¹)
Arizona	659	115,291
Arkansas	559	100,854
California	39,413	6,719,160
Colorado	2,304	386,183
Connecticut	1,207	208,386
Delaware	94	15,193
District of Columbia	2,210	345,915
Florida	7,744	1,213,724
Georgia	850	149,189
Hawaii	1,237	235,749
Idaho	242	37,328
Illinois	6,167	1,022,981
Indiana	884	149,046
Iowa	1,888	284,839
Kansas	2,024	351,408
Kentucky	515	87,234
Louisiana	2,948	367,907
Maine	218	36,082
Maryland	2,157	348,406
Massachusetts	1,529	275,057
Michigan	1,990	351,714
Minnesota	5,014	856,558
Mississippi	371	51,295
Missouri	818	136,549
Montana	332	55,318
Nebraska	546	88,643
Nevada	544	79,515
New Hampshire	101	20,624
New Jersey	1,514	243,794
New Mexico	1,162	170,078
New York	11,142	1,652,754
North Carolina	1,034	167,138
North Dakota	121	19,460
Ohio	1,707	272,097
Oklahoma	1,362	234,912
Oregon	4,107	724,297
Pennsylvania	6,995	1,292,157
Rhode Island	1,384	265,460
South Carolina	271	45,230
South Dakota	227	36,940
Tennessee	1,254	203,506
Texas	7,302	1,166,656
Utah	1,837	323,922
Vermont	66	12,293
Virginia	3,820	621,809
Washington	6,450	1,145,276
West Virginia	94	15,519
Wisconsin	2,448	379,139
Wyoming		(¹)
Total	139,359	23,162,284

¹ Not applying.

² Oklahoma prohibits public schools serving nonpublic students. 172 eligible child, enrolled in nonpublic school. The Secretary invokes by-pass authority to contract with University of Oklahoma of \$27,424 to provide supplemental educational services to the 172 children.

ATTACHMENT B.—GRANT AWARDS BY STATES

[Educational services for Cuban and Haitian entrant children program, fiscal year 1981]

States	Number of eligible children	Amount of award
Alabama	14	\$4,379
Alaska	0	0
Arizona	2	626
Arkansas	3	938
California	701	215,113
Colorado	30	9,384
Connecticut	75	22,991
Delaware	11	2,659
District of Columbia	23	6,819
Florida	16,969	5,261,171
Georgia	94	27,808
Hawaii	0	0
Idaho	1	313
Illinois	294	89,461
Indiana	16	5,005
Iowa	0	0
Kansas	47	13,920
Kentucky	24	7,476
Louisiana	261	81,641
Maine	16	5,005
Maryland	68	21,177
Massachusetts	249	76,198
Michigan	117	34,815
Minnesota	25	7,820
Mississippi	6	1,501
Missouri	15	\$4,692
Montana	0	0
Nebraska	19	5,255
Nevada	185	55,459
New Hampshire	11	3,441
New Jersey	2,851	882,800
New Mexico	54	16,610
New York	2,136	585,655
North Carolina	21	6,569
North Dakota	0	0
Ohio	26	8,133
Oklahoma	22	6,882
Oregon	35	10,948
Pennsylvania	124	38,787
Rhode Island	3	938
South Carolina	12	3,754
South Dakota	0	0
Tennessee	19	5,662
Texas	260	81,328
Utah	31	9,696
Vermont	9	2,815
Virginia	66	20,207
Washington	19	5,849
West Virginia	0	0
Wisconsin	148	46,294
Wyoming		
Total	25,110	7,697,853

* Not Applying

STATEMENT BY SHEPARD C. LOWMAN, DEPUTY ASSISTANT SECRETARY FOR ASIAN PROGRAMS, DEPARTMENT OF STATE, BEFORE THE CALIFORNIA SENATE COMMITTEE ON FINANCE, MONDAY, APRIL 13, 1981

Mr. Chairman; I am very pleased to have this opportunity to appear before the California Senate Finance Committee to review the present and projected flow of refugees into the United States during the next few years, and the impact that this and related federal policies can be expected to have on California. In my position as the manager for the Department of State of the Indochinese refugee program I have the responsibility for dealing with both the international aspects of this problem, as well as for the Department's relationships with the voluntary resettlement agencies which provide the initial placement and resettlement in the United States for these refugees. In addition, today I am appearing as a representative for the Office of the U.S. Coordinator for Refugee Affairs. Appearing with me is Carol Hecklinger, Assistant Coordinator for Domestic Resettlement.

It is with a very strong sense of appreciation for the role that California has played in dealing with the Indochinese refugee problem over the past six years that I appear here today. We in the Department of State deal on a daily basis with the problems and crises in international affairs which create such refugee flows. I assure you, however, that we are well aware that we only have the capability of dealing with such problems through refugee admissions programs to the extent that the American people are prepared to receive these unfortunate persons into their communities and to assist them in their efforts to build a new life. In this respect, California has made a magnificent contribution to the solution of one of the most critical and compelling humanitarian crises in recent times.

Not only were literally hundreds of thousands of persons forced from their homelands by the institution of communist revolutionary regimes in the three Indochinese states, but the arrival of these unfortunates on the shores and borders of countries of Southeast Asia generated political instabilities which threw the whole region into a temporary turmoil. One of the most outstanding examples of United States leadership in dealing with a major foreign policy problem in the last few years has been the role played by the United States in mobilizing the international community to deal with the Indochinese refugee problem. The response has been remarkable, and the situation in Southeast Asia today is relatively calm due to this fact. This leadership could not have been exercised without the willingness of the American people, and in the first instance the people of California, to receive and assist these refugees.

As the situation has quietened in Southeast Asia, what is the prospect for the future? Can we assume that refugee flows into the United States should now be cut back more sharply? Unfortunately, this is not the case. We can hope for and we do project a gradually declining requirement in the coming years for the admission of Indochinese refugees. But the camp populations in Southeast Asia, which still exceed 300,000, and arrival rates of refugees escaping, which still average a total of 10,000 per month from the three Indochinese states, force us to conclude that a continuing though declining program will be required for several more years.

In dealing with this problem we have always kept in mind that there are three alternative solutions to the problem of refugees which we would first seek before providing for their admission into the United States. The first of these is voluntary repatriation. The United Nations has active efforts underway to provide for the voluntary return of refugees to both Laos and Kampuchea. Unfortunately, the nature of the regimes in these countries makes it extremely unlikely that significant numbers will accept voluntary repatriation, and forced repatriation to such regimes cannot be contemplated.

The second alternative is settlement in the countries of first asylum. We have sought to encourage the states in the region to accept such a solution. For the most part, however, age-old ethnic, cultural, and religious animosities make such a solution truly impossible for large numbers. We have hoped that a possibility might develop for the resettlement of Lao refugees in Northeast Thailand where this is not a problem, but we must recognize that so long as Thailand has almost a quarter of a million refugees in Thai camps, the question is one they cannot seriously discuss until long range solutions to the overall problem can be found.

Finally, we have worked with the United Nations High Commissioner for Refugees to seek resettlement solutions in third countries, both in the other major industrial countries of immigration such as Australia, Canada, France and other European nations, and in certain developing nations, particularly in Latin America where population densities are not a factor.

In the final analysis, however, we have also had to continue a humanitarian program of our own. This fiscal year we initially projected a continuing arrival rate of 14,000 per month similar to that for fiscal year 1980, during our consultations

with the Congress on this figure, however, we stressed that it was a cap rather than a goal. We have always sought to maximize the three alternative solutions and have never pressed refugees to move to the United States when alternative solutions appeared to remain a possibility. As a result of a number of factors, the actual admissions into the United States of Indochinese refugees during the first six months of fiscal year 1981 have averaged about 10,000 per month. We believe that admissions in the last half of fiscal year 1981 will be larger, but it seems very unlikely that we will admit a total of 168,000 refugees in fiscal year 1981. Rather, admissions might average about 14,000 to 15,000 per month for the last six months of this fiscal year. Such estimates in the volatile field of refugees are risky ones, and renewal of a boat refugee crisis such as that experienced in the summer of 1979, or other critical unforeseen events, could create extraordinary conditions requiring substantially higher admissions.

In future years, the crystal ball grows even murkier; yet the basic underlying political factors in the three Indochinese states remain clear. These states are reorganizing their societies along communist lines and whole classes of persons have been severely and permanently disadvantaged by virtue of their former positions in those societies. As a result, and as the screw tightens, a continuing stream of these persons will be forced to leave their homes. At the same time we are dealing with a limited population of persons with the resources, both financial and in terms of courage and intelligence, to successfully plan an escape from these conditions. Over time that flow will gradually reduce. The admissions figure for fiscal year 1982 will be set only after further consultation with state and local governments, public interest groups, other interested organizations and, finally, with the Congress. Our initial estimates submitted to the Congress for budgetary purposes based on the best data available at that time, provide for funding for an admissions level of up to 144,000 Indochinese refugees in fiscal year 1982, or an average flow of 12,000 per month.

We, of course, understand that such a flow is not an easy one to absorb. This is particularly the case for the State of California since you are receiving, by a significant measure, the largest share of any state. As I noted earlier, we are grateful for this fact, and we are anxious to work with you and assist you as best we can in developing the most efficient and effective possible system for resettling these refugees. In this respect, we believe it is important to continue to work hard to achieve an effective coordination between the activities of the private resettlement sector and the state and local agencies dealing with refugee resettlement.

STATEMENT OF DON WHITE, DEPUTY SUPERINTENDENT FOR CONGRESSIONAL RELATIONS, CALIFORNIA STATE DEPARTMENT OF EDUCATION

Mr. WHITE. It is a pleasure for me to be here and I appreciate the opportunity to testify before the committee. I would like to submit my statement for the record, if I may, and condense my remarks somewhat.

First I thought the subcommittee might be interested to know of the history of refugee education funding, and since we have been deeply involved in that over the years, I prepared a history which is a part of my statement. I will not go through it except I thought it might be nice to have it as a part of your record.

Attachment A to my testimony will give you the numbers of Indochinese refugees who are being funded under the administration's present program. Attachment B is the Cuban and Haitian numbers by States.

I also thought you might be interested in the numbers of refugees who are arriving this year and who are expected to arrive in the future. It happened that Assistant Secretary Lowman of the State Department spoke to our California State Senate Finance Committee a few weeks ago here in Washington and I have provided to the subcommittee and to the reporter copies of Mr. Lowman's statement.

I will however excerpt a few figures from his statement. He says that although the actual admissions into the United States of

Indochinese refugees during the first 6 months of 1981 have averaged about 10,000 per month, it is estimated that during the last 6 months of this year they may average about 14,000 to 15,000 per month. The State Department's initial estimates for fiscal 1982 call for 144,000 Indochinese refugee admissions or an average flow of 23,000 per month.

Although there is hope for a gradual decline in the refugee flow in future years, the camp population in Southeast Asia still exceeds 300,000 persons and arrivals in the camps still average 10,000 persons per month. So it is obvious that a continuing, although we hope declining, program will be required for several more years.

I have submitted the State Department figures in order to help the members of the subcommittee understand that the refugee education problem will be with us for some years and will continue to be a very serious problem for the States and the school districts which are impacted by refugee children.

Turning now to H.R. 3076, I want to compliment Mr. Goodling for his constructive leadership in proposing the consolidation and your subcommittee for initiating action on the matter. It is of course a fact that the refugee education funding which we are currently receiving and that which is budgeted for future years is under the General Refugee Authority, Public Law 96-212, which would not be consolidated under your proposed bill.

Since this money is flowing, albeit in very small amounts, to our schools and is budgeted for availability in the future, we would be concerned if there were any proposal to change this general authority unless an appropriation could accompany that proposal. We understand that that is a little difficult to do in this subcommittee.

I note however that your bill would require that refugee education benefits received under other programs be deducted from the amounts available. Although that is a clumsy way to do it, we certainly want to preserve the appropriations that we have and the budgets that we have for future appropriations, so we want to be very careful about how that whole matter is handled in relation to the appropriations committees.

One way in which your bill might be improved in our opinion would be to use the point system. My colleague from Pennsylvania has already covered this matter and I will simply endorse the idea as a fair and equitable means of providing funding.

I have one additional point. H.R. 3076 provides that only 1 percent of the funds can be used for State administration, and I know from experience that such an amount is grossly inadequate. Refugee education is a highly specialized activity requiring professional services at the state level which must be furnished by qualified and experienced personnel who in many cases must have particular language capabilities. Workshops must be conducted and specialized publications prepared. There is no way in which these services can be performed adequately with the funds which would be available on a 1 percent basis.

In the interests of providing vital and necessary services to the refugee children, I would urge that you increase the state administrative allowance to at least 5 percent of the funds flowing into the State, and I would go along certainly with the 10 percent proposed by my colleague.

I do appreciate the opportunity to testify, Mr. Chairman, and I would be happy to answer any questions.

Mr. GOODLING. I wonder if I might ask you, Mr. White, to read No. 4 and No. 5 on page 2 of your testimony.

Mr. WHITE. No. 4: In the July 1980 Supplemental Appropriations Act, Public Law 96-304, \$23 million was included in the Health and Human Services appropriation and earmarked for refugee education under the discretionary provisions of the Refugee Act of 1980, Public Law 96-212. This money was distributed in March 1981 by the Education Department under an interagency agreement with Health and Human Services. The payments which amounted to \$166 per child are intended for use in 1980-81, which is the current school year. This transition program for refugee children primarily services Indochinese refugee children and does not include Cuban-Haitian children. Attachment A will give you the State-by-State list of numbers of eligible children and grant awards.

No. 5: For the Cuban and Haitian refugee children, about \$7.7 million has been distributed in fiscal 1981 under the discretionary funds of the Secretary of Education, section 303 of the Elementary and Secondary Education Act as amended, Public Law 95-561. This distribution amounted to \$307 per child, and attachment B will give you the State distribution figures. There is no budgetary request for this activity in fiscal 1982.

Mr. GOODLING. Thank you.

Next is Mr. Steve Sauls, Washington representative, Florida State Department of Education.

STATEMENT OF STEVE SAULS, WASHINGTON REPRESENTATIVE, FLORIDA STATE DEPARTMENT OF EDUCATION

Mr. SAULS. Mr. Chairman, members of the subcommittee, I am pleased to have the opportunity to be here to comment on H.R. 3076, the bill which Mr. Goodling introduced to consolidate educational assistance programs for refugees. I appear here today on behalf of Florida's commissioner of education, the Honorable Ralph Turlington.

Mr. Chairman, we would like to express our appreciation to you for the interest you have shown in the tremendous impact of refugees on our local school districts. Mr. Goodling, we also appreciate your continued interest and leadership in introducing this refugee bill.

First let me say that we unequivocally believe that refugees are a Federal responsibility. Because they are a Federal responsibility, particular States and local school districts should not have to shoulder a disproportionate burden because of accidents of geography or federally sponsored resettlement strategies. Yet this is exactly what has been happening and is continuing to happen. Furthermore because of international economic and political conditions, we remain extremely vulnerable to repeated massive influxes of refugees which have already stretched local resources in Dade County to the breaking point.

I do not want to belabor this point because we know that this subcommittee understands the Federal Government's responsibilities for refugees and we also know that successive administrations

have acknowledged Federal responsibility. But what concerns us is that, despite all this recognition of Federal responsibility, we are still having to shoulder the burden of educating thousands of refugees with State and local funds, a burden that will have a long-lasting impact on our total educational system and our ability to provide educational services for all of our citizens.

It seems that when the Federal budget cutters get finished with their acknowledged Federal responsibility, we end up with our hat in our hand and a far too indifferent response to our real needs. We recognize that cuts are now being made in many programs, and we certainly will be taking our share. But the question that we want to raise is that if refugees are a Federal responsibility, and we think they are, why do we have to keep calling upon the Federal Government to meet its responsibilities?

Having said that, we do support the bill which you have introduced, Mr. Goodling, and we will look forward to working with you and the subcommittee on ways it might be further improved.

By way of background, we worked closely with our Congressman Ed Stack in drafting the Refugee Education Assistance Act of 1980, Public Law 96-422. We believe that adoption of the amendments to the Stack bill which you have introduced, Mr. Goodling, is the appropriate next step to take in developing a permanent Federal legislative vehicle to assist school districts impacted by refugees, whatever their technical legal status or country of origin.

Last spring when the Cuban boat people began streaming into Florida from Mariel Harbor, we were faced with the immediate task of assimilating thousands of new refugees into our State, most of whom spoke no English. An aside, one of the problems was not only the large numbers but the short time in which they came in. Our public schools and adult education classes were immediately overwhelmed with new pupils. In addition to not speaking English, many of the children were classified as below grade level, requiring special supplementary assistance. Furthermore, we did not have enough classrooms to house them.

This influx was in addition to the large numbers of Haitians and other refugees who are settling in Florida. All totaled, over 16,000 Cuban and Haitian refugee children have entered Florida schools within the past year. But the real problem is that most of them have settled in one single school district, Dade County, Fla.

Compounding the problem of trying to get Federal assistance for educating these refugees, they were not granted refugee status as defined by the Refugee Act of 1980. What concerns us is that whatever their ultimate legal status, they are legal aliens, they have arrived in our communities, they are attending our schools, and we are doing the best job we can in accordance with our legal responsibilities to meet their educational needs.

Recognizing this status problem, the 96th Congress passed the Refugee Education Assistance Act of 1980 which Congressman Stack introduced. First, in the interest of simple equity, this act authorized Federal assistance for educating Cuban and Haitian children in amounts comparable to those appropriated for refugee children as defined by the Refugee Act. What it did differently was allow these funds, in recognition of the Federal Government's basic responsibility, to be spent on basic educational services which these

children require and which would otherwise be borne totally by the local school district.

The authorization level, which is high in terms of realistic appropriation expectations, was for the first time set in relation to actual costs. The per pupil authorization was set at \$450. This is a somewhat arbitrary figure, but it was established in recognition that actual local basic education costs would be approximately double that amount.

Second, for the first time this legislation recognized that some school districts are significantly more affected by the influx of refugees and that those districts should receive special impact assistance, particularly given the limited availability of Federal funds. It was intended that these funds would be used by these districts for all of the special and supplementary costs which large numbers of new refugee students would require, including construction of new classrooms if necessary.

It was our feeling that the actual costs of the local school districts would so greatly exceed the Federal contribution that there was little if any chance of supplanting. Consequently, we felt that the school districts should have the maximum flexibility in making the best use of the limited Federal funds according to their unique needs.

The eligibility threshold for qualifying for the special impact assistance was arbitrarily set at 500 refugees or a 5-percent increase in district enrollment. Indochinese were included in this authority along with Cubans and Haitians. It was understood at the time that some 5,000 to 10,000 Indochinese in five or six California school districts would be eligible for special impact assistance in addition to the few districts in Florida, New Jersey, New York, Illinois, and California which had been heavily impacted by Cuban and Haitian children.

The actual numbers once they became available were much larger however, prompting some concern during the appropriations process that in light of the large numbers of districts qualifying, the limited funds being appropriated were not adequately concentrated. In other words, given a small appropriation, too many districts would get too little and the much larger magnitude of the problem in Miami would not be adequately addressed.

A compromise was worked out on the Senate side, and that compromise was an increase in the appropriation previously proposed for special impact districts with a set-aside of 25 percent of the amount appropriated for those districts with at least 10,000 new refugees. Unfortunately, this appropriation was among those stripped off the fiscal year 1981 continuing appropriations just prior to final passage. This was the issue that was involved in the congressional pay raise.

Mr. Chairman, I clearly do not want to minimize the problems of any of the impacted districts. Whatever is done, our finances will remain heavily impacted. In Florida, the financing of education is substantially equalized. We currently pay 70 percent of State-local costs of education.

Our concern is that the Congress give special recognition to the tremendous qualitative and quantitative impact of refugees in Dade County schools which, because of sheer numbers, is much

larger than the impact on any other school district in the country. It should not matter that only one school district might get a different percent of funds appropriated. What should be of primary concern is that the refugees are a Federal responsibility and some recognition should be given to the effect of their concentrated impact. Therefore you might want to consider reviewing the threshold current in the Stack bill.

With regard to H.R. 3076, we think it is a good step forward for a number of reasons. One is that it seeks to create a permanent authority for refugee education assistance that is responsive to the reality of refugee impact based on numbers of persons rather than legal status, circumstance of arrival or country of origin. Second, it follows for all refugees the approach of the Stack bill which recognizes the added burden of educating large numbers of refugees. And third, it expands from 3 to 5 years the transition period during which a school district could receive gradually reduced assistance. By doing this, it recognizes the long-term impact of refugees, some of whom are actually preschoolers and have not yet even enrolled in public schools.

We feel that the administration's current proposal to provide refugee education assistance for only 1 year, that is an effective fiscal year, fiscal year 1982, does not meet the Federal Government's responsibility. We feel a transition period of at least 3 years is essential and 5 years is realistic.

The U.S. Department of Education has recognized a 4-year transition period in its regulations governing the allocation of funds appropriated under the Refugee Act of 1980 for refugees and the funds appropriated under the Secretary's discretionary authority for Cubans and Haitians.

Finally, H.R. 3076 recognizes the importance of providing educational service to refugee adults to help them more quickly enter the mainstream of American life. It also recognizes that the State has an important role in assessing adult education needs and responding to those needs through public schools, community colleges and community-based organization. We feel that the State is in a better position than Federal program administrators to direct Federal assistance to adult refugees through local providers in a comprehensive and coordinated manner.

In summary, Florida is willing to continue to do its part. But we feel that Washington has not fully recognized that the Federal Government, not the State governments, is primarily responsible for refugees and the Federal Government has not fully lived up to its responsibilities. In the effort to meet our combined State and Federal responsibilities, we appreciate the help of this subcommittee and we will be glad to continue working with you.

We believe H.R. 3076 is another step in the right direction.

Mr. GOODLING. Thank you, Mr. Sauls.

Mr. Paul Bell is the deputy superintendent of Dade County public schools.

STATEMENT OF PAUL BELL, DEPUTY SUPERINTENDENT, DADE COUNTY PUBLIC SCHOOLS, FLA.

Mr. BELL. Mr. Chairman, members of the subcommittee, I, too, appreciate the opportunity to appear before this subcommittee to

provide testimony on the proposed Consolidated Refugee Education Assistance Act introduced by Mr. Goodling.

The Dade County public schools, which I represent, is a school district with a vital interest in refugee assistance legislation. For almost 20 years educators in Dade County have dealt with refugee issues. To illustrate the refugee impact, I shall concentrate on illustrating the impact of refugee populations on a single school system. I shall describe the events of the past 12 months which have irrevocably changed Dade County, Fla., and the school district which serves its 27 municipalities and unincorporated areas.

When school opened in September of 1979, a little over a year and a half ago, there were approximately 230,000 students in kindergarten through 12th grade in our school district. The population was triethnic: approximately one-third Hispanic, one-third North American white and one-third North American black. As is true of most large urban school districts, there were also students from a variety of other backgrounds and linguistic backgrounds, including Native Americans, Chinese, Indochinese, Afghans, Czechs, Russians, and a large number of Haitians. Though the majority of the Hispanics were Cubans who fled Castro's Cuba in the early 1960's and 1970's, there were growing numbers of Nicaraguans, Salvadorans, Chileans, and a relatively stable number of Puerto Rican students.

Then on April 21, 1980 the exodus from Mariel, Cuba, began. Dade County public schools will not be the same since that date. During the last 10 days of April the initial wave of what was to become a flood of over 125,000 refugees arrived in south Florida. Even though the new refugee law, the Refugee Act of 1980, had been passed by Congress, signed into law by the President, and had come into effect on April 1, 1980, the flood of refugees was totally out of control.

One week later, after Mariel opened, on April 28, 1980, 27 new Cuban refugee students were enrolled in the Dade County public schools. These were the first. Three days later, on the last day of April, there was a total of 100 new refugee students enrolled in our schools. By June 1 the number had swelled to over 1,000; and when the 1979-80 school year ended on June 11, 1980, the total had reached almost 6,000 who were being served in our school by already overtaxed resources.

The following September when the current school year opened, the 1980-81 school year, there were over 13,000 new refugee students enrolled who had not been in the United States 5 months before.

As of April 28, 1981, just a few days ago, 1 year to the day after the first Mariel students enrolled in the Dade County public schools, the number of new Cuban refugee children enrolled in grades kindergarten through 12 in the Dade County public schools reached 14,547. The number of Haitian students who enrolled during the same period of time reached 1,043 students. In addition to these 15,590 Cuban-Haitian entrants, we enrolled 745 Nicaraguans, 59 Indochinese, 28 Russians and approximately 30 students from six other foreign countries for a grand total of 16,452 new non-English-speaking kindergarten through 12th grade students. This was in a period of 12 calendar months.

Another way to view the dimension of the problem which Dade County public schools have faced during the past year is to recognize that more than 96 percent of the school districts in the United States have between 300 and 16,000 students. We estimate that we absorbed more students who are non-English speaking in this period of time than 99 percent of the school districts in the United States.

According to the latest figures available to me, the school district serving Pike County, Ky., in the chairman's congressional district has fewer than 16,500 students totally. The Erie, Pa., school district in Mr. Goodling's home State has enrolled fewer than 14,500 students. So what the Dade County public schools has had to accomplish during the past 12 months is equivalent to what would be faced by a Madrid or Berlin public school system trying to absorb a large, in fact one of the largest American school districts a 1-year period of time.

Based on actual membership reports and the current rate of new refugees per week, we can reasonably predict that at the end of this school year Dade County will experience an overall growth of limited English-speaking students amounting to over 18,100 students, most of whom will have come into our schools as the result of Federal policy, or I might add lack of policy.

I should point out that in addition to the problems of educating such a large non-English-speaking population, the task of absorbing the Cuban students is even more complex. The proportion of these students who are physically or emotionally handicapped appears to be considerably greater than that which would be expected in a normal school population. This higher incidence of exceptionalities is of course not due to any genetic difference between Cubans and Americans but because Fidel Castro cynically used the exodus as an opportunity to empty many of the Cuban institutions for handicapped, disturbed, or criminally involved youth and adults.

Federal officials were unable to adequately screen the entering refugees, so the school district is still in the process of trying to identify and assign these involved youth to appropriate programs, though they are being served in the schools. Naturally, with the complexities and procedures required by Public Law 94-142 and other Federal laws and regulations, this process will take the rest of this year to even partially complete.

And quite apart from these fringe categories of handicapped new refugees, there are several thousand other refugees who have no special problems other than that they are faced with culture shock and a wide range of anxieties which constitute a problem of critical proportions to the school district.

The Haitian youth, who are very often ignored with the large numbers of Cubans entering the United States, present a very different problem. First, because of the Haitians very confused immigration status over a period of years, many parents refused to enroll their children in school to avoid contact with government officials. Second, the Haitian youth because of social and economic conditions in Haiti are often undernourished, physically ill, and severely academically retarded. In fact large numbers have never attended school prior to their entry into the United States. These are 12- and 13- and 14-year-old children.

There is no well developed program of native language instruction for Haitian students in Haitian Creole available commercially either in the United States or in Haiti. Materials have to be locally developed or secured from other school districts developing such materials.

It is not only the children of the refugees who require educational services. As my colleagues have indicated, in addition to the massive increases in enrollment in K through 12 there are corresponding increases in adult classes for non-English-speaking students. In fact, during the last 12 months over 16,700 Cuban adults have enrolled in Dade County public schools adult education programs. And during the same period 5,480 Haitian adults have also enrolled.

It is impossible for those who have not been involved to imagine the complexities or the impact of attempting to absorb this refugee population of more than 16,000 school-aged youth and 21,000 adults in a 1-year period.

I shall not attempt to detail for you the myriad of administrative problems, almost insurmountable in nature, which this kind of rapid growth of non-English-speaking populations presents to a school district. Administrators are placed in their positions to resolve these problems. However, it is important that I attempt to detail for you in the record the potential and actual costs of providing necessary educational programs for these students.

To provide an appropriate program which would have met the refugee students' educational, psychological, and adjustment needs and which would have provided appropriate classroom space, transportation to and from school for eligible students would have cost the Dade County public schools an average of \$1,285 per student for the 1980-81 school year in excess of State and local funding.

The total estimated cost for a yearly average enrollment of approximately 13,300 students was calculated at over \$17 million. However, since there was no assurance of Federal funds or additional State funds and because the school district faced severe financial restrictions, a modified program was developed and implemented during this school year, 1980-81. Even with the modifications, the Cuban-Haitian entrant program will cost the Dade County public schools over \$10.6 million in what so far are unreimbursed expenses for the 1980-81 school year. The actual excess expenditure per student for which the Dade County public schools has obligated itself is already over \$800 per student for this school year.

In planning for 1981-82 it is estimated that the minimum, absolute minimum required per student cost will average more than \$893 for a total estimated excess cost of over \$14,834,000. The total 2-year excess expenditures for Cuban and Haitian students who have entered our schools since 1980 will amount to between \$20 and \$25 million.

An analysis of the \$893 projected 1981-82 pupil excess cost indicates the following. The provision of English for speakers of other languages will require \$173 per student, elementary and secondary. In our case, we find that the cost of providing education for the primary elementary student, because of the organizational factors in the school, is more costly than in the secondary.

The cost of providing necessary instruction in and through the language of the home will cost approximately \$214 per student. Required, almost essential, counseling service, visiting teacher service for home liaisons and psychological service will average \$49 per student per year.

Providing classroom space for the entrant population which has arrived since October 30, 1980, will require an additional \$1,411 per student. The average for all entrant students for housing will come to \$336 per student. To provide transportation required by State law will cost an additional \$56 per student per year on the average over and above State reimbursements.

Other costs including custodial, maintenance, support costs prorated among the 16,000 plus expected entrants will amount to \$65 per student on the average. The total: over \$890 per student.

I regret to report to you that as of today, April 30, 1981, the Dade County public schools has not received \$1 from the Federal Government for the education of the Cuban-Haitian entrant students who have come into our school since April last year except for \$1 million from the Secretary of Education's discretionary fund which was used to provide an intensive 6-week summer program for the students who arrived in Dade County between April and August 1980.

I might add that the contract we had with the Secretary of Education with the Office of Education was to serve 5,000 children. By the end of the summer we had served over 9,000 children, using State and local funds in addition to the \$1 million.

It is my understanding that the school district will be receiving from the Federal Government within the next few weeks or months approximately \$3.8 million and an additional \$1.2 million in late summer. These funds were appropriated as a supplemental appropriation in fiscal 1980. Even after receipt of these delayed funds, the school district will have experienced a 1980-81 Cuban-Haitian entrant program deficit of well over \$5 million.

Without belaboring the point, but to emphasize the degree of impact that this size population has on even a large urban district, let me illustrate the effect by this somewhat oversimplified analysis. To provide permanent elementary school housing facilities to a population of 16,000 would require the construction of approximately 20 new schools. Now, of course, the population we are serving is not all elementary but I am using that to simplify. The cost of junior and senior highs is higher.

The most recently constructed elementary school in Dade County cost over \$6.5 million. Therefore, the cost to Dade County Public Schools to provide permanent rather than relocatable facilities just for the entrant population alone would greatly exceed \$120 million. A local school district cannot meet these kinds of fiscal requirements without Federal support. This is particularly true when the district faces a possible budget shortfall in State and local funding for 1981-82 which exceeds \$38.9 million.

It is because of the impact which the refugee population has had on Dade County Public Schools and because of the commitment which our district has to provide equal educational opportunities to all students, refugees and citizens alike, that I am here today to

strongly support H.R. 3076, The Consolidated Refugee Education Assistance Act.

The act recognizes realities which school districts must face. The act recognizes that providing educational services to refugee students regardless of the country of origin or the immigration status assigned to them constitutes a long-range problem with which many districts will continue to deal. The act recognizes that the costs for a school district severely impacted are proportionately greater than for school districts which are minimally impacted.

The act provides for a 5-year transition period which many students will require, especially the students who have never attended school before. Though experience indicates that 3 years are adequate for some, experience also indicates that 1 year, as has been proposed, is totally inadequate. The 5-year provision allows a latitude which will benefit students and make it possible for school systems to provide appropriate long-range programs to serve the needs of refugee students.

The act recognizes that there is a need to provide refugee adults services of an educational nature which are more costly than those provided for the general population, including bilingual vocational education so that they can earn a living while they are learning English.

In short, The Consolidated Refugee Education Assistance Act provides a vehicle through which the Federal Government can address the Federal responsibility for refugee impact with Federal assistance to impacted school districts.

In closing, the Dade County Public Schools is committed to provide quality education to all children within the district. The school system is ready and able to provide those specialized services required to help refugee children and adults become educated and able to function productively in an American community. But the school district cannot and is not able to provide the financial resources necessary to carry out these programs without significant and immediate Federal assistance.

Thank you.

[The material submitted by Paul Bell follows:]

Supplemental Analysis of
Cuban Haitian Program Excess Cost Projection
Dade County Public Schools
Miami, Florida

Bureau of Education
Dade County Public Schools
April 27, 1981

Dade County Public Schools

Bureau of Education

April 27, 1981

STATE OF CALIFORNIA DEPARTMENT OF EDUCATION

Category of Excess Cost	1980-81		1981-82		1982-83		1983-84	
	Cost Per Student	Total (1)	Category of Excess Cost	Total	Category of Excess Cost	Total	Category of Excess Cost	Total (2)
(A) Bilingual/Bicultural Instruction								
English for Speakers of Other Languages Grades (K-3) \$ 663 @ 1318 = \$ 7,71,456			Instruction in and through English was provided by regular classroom teachers		Resourced ESL program not provided as projected		ESL, \$ 625 @ 74 = \$ 4,41,940	(1)
Grades (4-12) \$ 660 @ 1317 = \$ 7,31,420							Average Total Elem and Sec	(2)
Average Total Elementary and Secondary	\$ 262	\$ 3,483,274	Instruction in and through language of home provided by federally-funded teachers/stides	\$ 3,483,274				\$ 2,971,940
Home Language Instruction					-		Home Language Instruction (+ 10,000 elementary only)	(4)
	\$ 298	\$ 3,329,250		\$ 3,329,250				\$ 2,311,200
(B) Instructional Support								
Bilingual Counselors	\$ 43	\$ 943,270		\$ 27,690	Per unit of revised estimate	\$ 306,897	Bilingual Counselors	(5)
Bilingual Visiting Teachers/ Bilingual Psychologists	\$ 47	\$ 969,140		\$ 291,121	Per unit of revised estimate	\$ 716,429	Bilingual Visiting Teachers/ Bilingual Psychologists	(5)
(C) Miscellaneous Classroom								
713 classrooms with furniture to house 9,000 K-12 students who could not be housed in existing facilities (estimated \$34,000 per relocatable)			229 classrooms at an estimated cost of \$39,495 per unit		75 classrooms at a cost of \$39,495 per unit		74 classrooms (2,072 students) from 1980-81 un-moved plus 110 classrooms (1,700 students) who have entered DCPs after Oct 31, 1980. Total \$ 3,374 students with 20 per relocatable	(6)
	(4)			\$ 5,489,800	\$ 2,917,430			\$ 1,411
(D) Transportation								
30 school buses @ \$70,000	\$ 50	\$ 7,360,300					7 school buses to transport 3,302 students who entered DCPs after Oct 31, 1980 @ \$70,000 per bus	(6)
	\$ 56	\$ 750,000		\$ 750,000	-			\$ 56
(E) Custodial/Operational								
Custodial, maintenance and operational support provided among 13,313 entrant students	\$ 56	\$ 772,154		\$ 772,154	-		Custodial, maintenance and operational support provided among 10,615 entrants	(7)
								\$ 60
Totals	\$1,000	\$17,500,595		\$10,603,000	\$ 7,819,329			(8)
								\$ 114,634,493

(1) Total costs for 1980-81 are based on 13,313 entrant students reported through October 31, 1980 to the Florida State Department of Education.

(2) Total costs for 1981-82 are based on 10,615 entrant students who entered DCPs after October 31, 1980, unless otherwise indicated.

(3) Per student costs for ESL are lower in 1981-82 than in 1980-81 because of reclassification of students from OCR Category A to OCR Category B. However, the need for a resourced ESL program becomes more critical in the second ESL year of entrant students as a delivery system which emphasizes the students' integration into the academic mainstream by participating in the regular English curriculum with their English-speaking peer group.

(4) Per student costs for Home Language Instruction are lower in 1981-82 than in 1980-81 because of transition to increased use of English.

(5) Per student costs for bilingual counselors, visiting teachers, and psychologists are lower in 1981-82 than in 1980-81 as a result of integration of entrant students into their neighborhood schools, which allows for a more cost effective delivery of services.

(6) Per student costs for students who entered DCPs before October 31, 1980 were only \$693 because 7,313 entrant students could be housed in existing facilities, while the cost for the remaining 5,000 were prorated over the total 13,313 entrant students. The \$1,411 per student cost for 1981-82 applies only to the 2,072 students identified in un-moved and the 3,302 students who entered DCPs after October 31, 1980.

(7) Per student costs for custodial, maintenance and operational support are higher as a result of inflationary increases averaging 12%, as opposed to salary increases averaging 9%.

(8) Per student costs for 1981-82 overall are less than for 1980-81 due to the success in meeting the entrant students' learning and cultural integration needs within the transitional bilingual program and to the expenditure of "one-time" costs. The costs remain, however, beyond the capability of the Dade County Public Schools to absorb without significant external fiscal support.

(9) Computations of un-moved need was based on revised formula for level of service as explained in Section (B) Instructional Support, pages 2-3 of the HLC Manual.

Dade County Public Schools

Bureau of Education

April 27, 1981

Update of Cuban/Haitian Entrant Program Excess Cost ProjectionRefugee Student Admissions

Between April 28, 1980 and April 17, 1981, some 16,336 refugee students entered the Dade County Public Schools. Below are totals of such students by origin as well as current rate of entry.

<u>Origin/ Language</u>	<u>Total as of April 17, 1981</u>	<u>Av. Weekly Rate of Entry Last 10 Weeks</u>
Cuban	14,469	49
Haitian	1,023	14
	15,492	63
Nicaraguan	728	8
	Sub-Total	Sub-Total
Others (Primarily Indo- chinese and Russian)	116	2
Total	16,336	73

Of the above 16,336 refugee students, 15,492 (95%) fall in the status category of "entrant". Based on these data, it may be projected that with an average weekly entry rate ranging between 60 and 65 the total number of entrant students will increase to + 16,600 for the opening of school in the fall of 1981-82. The number 16,615 from earlier estimates continues to be the basis on which cost projections are computed.

Expenditures Related to Entrant Students

In addition to the normal operation expenses for students served by the Dade County Public Schools, the Cuban/Haitian entrants generate excess costs in five major categories:

- (A) Direct supplementary instruction, which includes staff to support delivery of instructional programs;
- (B) Instructional support, which includes bilingual counselors, visiting teachers, and psychologists;
- (C) Relocatable classrooms for students who could not be housed in existing facilities;
- (D) Transportation from neighborhood schools to special centers and facilities for students who could not be housed in the school they would have otherwise attended; and
- (E) Custodial, maintenance and operational support, including utilities.

(A) Direct Supplementary Instruction

What the current expenditure level provides Current expenditures for direct supplementary instruction are based on a rate of \$250 per entrant student.

This level of expenditure provides for support staff to deliver instruction in and through the home language (Home Language Arts and Bilingual Curriculum Content). It also provides for instructional materials, for technical support at the area and central office levels, and indirect charges. Based on the entrant membership reported through October 31, 1980 to the Florida State Department of Education, the \$250-per-student rate reflects an expenditure of \$3,328,250 for the 1980-81 school year. It is anticipated that these dollars will be included in the monies to be provided for federal reimbursement for services rendered to entrant students in the Dade County Public Schools.

What the current expenditure level does not provide The current \$250 level of expenditure for special allocations, support, and instructional materials in the entrant program does not provide for direct supplementary instruction by special teachers of English for Speakers of Other Languages, which is normally provided to students of limited-English proficiency. For entrant students, such service is being provided in 1980-81 by regular classroom teachers generated under the Florida Education Finance Program (FEFP). Although teachers assigned to this program are making every effort to provide quality instruction, the lack of personnel especially trained for English for Speakers of Other Languages represents a critical un-met need during 1980-81.

What the 1981-82 excess costs for direct supplementary instruction will be For the 1981-82 school year, it is anticipated that students currently classified as entrants will receive the same types of services at the same level and in the same instructional settings as other students of limited-English-proficiency. Excess costs for direct supplementary instruction for these 16,615 students are estimated for 1981-82 to be \$5,183,140, computed as follows:

English for Speakers of Other Languages

Elementary (K-6) 10,800 students @ \$225	= \$ 2,430,000
Secondary (7-12) 5,815 students @ \$ 76	= 441,940
Total ESOL costs all levels	= \$ 2,871,940

Instruction in and through the home language

Home Language Arts	
Elementary (K-6) 10,800 students @ \$113	= \$ 1,220,400
Bilingual Curriculum Content	
Elementary (K-6) 10,800 students @ \$101	= 1,090,800
Total instruction in/through home language	= \$ 2,311,200
Total Direct Supplementary Instruction	= \$ 5,183,140

(B) Instructional Support

Early estimates of 1980-81 excess costs for instructional support service to be provided for the entrant students totaled \$1,102,525 and included the support of bilingual counselors at a per student cost of \$63 and of bilingual visiting teachers and psychologists at a per student cost of \$42. Subsequent estimates reduced this amount to \$927,242. Lack of federal fiscal support forced the Dade County Public Schools to drastically reduce expenditures in this area to \$313,717 (34% of identified need), leaving \$613,525 (66% of identified need) as the cost of un-met need in instructional support.

The un-met need was computed as follows:

Factor	Visiting Teachers	Psychologists	Counselors
Number of Positions	50	73	234
Ratio*	4374:1	2996:1	935:1**
Specialist/Students			
Increase Due to Entrants***	3.04	4.44	14.24
Average Cost Per 1980-81 CASAS (Excluding fringes)	\$23,901	\$24,600	\$23,366
Salary (Including fringes)	\$28,485	\$29,287	\$27,872
Extended Salaries	\$86,594	\$100,034	\$396,897

The projected need for 1981-82, based on an anticipated 16,615 entrant students, is computed as follows:

Factor	Visiting Teachers	Psychologists	Counselors
Increase Due to Entrants	3.80	5.55	17.77
Salary (Including fringes)	\$30,235	\$31,127	\$29,583
Extended Salaries	\$114,893	\$172,755	\$525,690

The total of \$813,338 for instructional support services is significantly lower than the 1980-81 estimates as a result of integration of entrant students into their neighborhood schools, which allows for a more cost-effective delivery of services.

(C) Relocatable Classrooms

Original projections for housing the entrant students indicated a need for 213 classrooms with furniture for 6,000 students in grades K-12. The remaining

* FTE divided by number of positions

** Actual formula: 438.4:1, secondary only

*** Number of entrants divided by ratio.

7,313 of the 13,313 entrant students who were reported to the Florida State Department of Education as of October 31, 1980 were able to be housed in existing facilities. The original projected cost of the relocatable classrooms was \$34,584 per unit. However, prices escalated to \$39,495 per unit and the school system faced a serious shortfall of dollars. Thus it was possible to purchase only 139 units for a total of \$5,489,805, leaving an un-met need of 74 classrooms at a cost of \$2,922,630.

The 74 classrooms to house 2,272 students from the un-met need from 1980-81 plus 118 additional classrooms to house the 3,302 students who have or will have entered the Dade County Public Schools after October 31, 1980 represent a projected 1981-82 cost for housing of \$7,583,040. The cost per student of \$1,411 for 1981-82 applies only to the 5,374 students identified above, while the \$553 cost per student projected for 1980-81 was prorated over the full number in the October report, 13,313 students.

(D) Transportation

The projected need for 30 school buses @ \$25,000 for 1980-81 was met at a cost of \$750,000. In the 1981-82 projection, 7 additional buses will be required to transport the 3,302 students who have or will have entered the school system after October 31, 1980, at a cost of \$175,000.

(E) Maintenance/Operations

As in the case of transportation, the projected need for custodial, maintenance and operational support was met at a cost of \$772,154 which, when prorated among the 13,313 entrant students reported in October averaged \$58 per student. Similar services projected for 1981-82 will cost \$1,079,975 to meet the needs of the 16,615 anticipated entrant students.

Mr. GOODLING. Thank you, Mr. Bell. I don't know how you have done what you have done. My sympathies are with you.

I have had so many teachers and board members who got all excited and wondered what they would do when they had three or four refugee children come in.

Mr. BELL. I could say facetiously, Mr. Goodling, that on April 21 I had black hair, but I was grey then, too.

Mr. GOODLING. Mr. Kildee, do you have any questions?

Mr. KILDEE. No, thank you, Mr. Chairman.

Mr. GOODLING. First of all, the reason that I had Mr. White read that portion is, as I said, there was a conflict in testimony. I might explain now why that would happen.

We recognize that H.R. 3076 did not include section 311 in the Refugee Act of 1980 in the consolidation. Of course we had a good reason for that. If we ever get involved in the business of going to the Judiciary Committee to get some changes in relationship to refugee status, we may never get anywhere. As the chairman indicated, he is committed, and I think most of my colleagues are committed to trying to make sure that the Federal Government assumes their responsibility in relationship to refugees.

As I said earlier, we had hoped that by getting some kind of consolidation, No. 1, we would make sure that the Federal Government is saying that they have a responsibility, and No. 2, that it would not be a question of trying to put out the fire when the fire is already burning out of control. So I think probably that explains why we did not appropriate that.

Are there any on the panel who would like to comment on one of their suggestions or that we do include section 311? After my

explanation, Ms. Weinberger, do you still think it would be a good idea?

Ms. WEINBERGER. As you have explained it, it looks as if it is beset with its own problems and issues. I think that we nonetheless do need to consider potentially the equitability issues that are involved in that and the ways to best coordinate with that.

Mr. GOODLING. I think for the future, if we get something through along these lines we can modify it. However my colleagues may want to modify it after hearing your testimony. We can work on that other issue at another time.

Mr. WHITE. Mr. Goodling, over these years I have spent an awful lot of time over in the other committees and in the administration trying to get money for the Indochinese refugee bills. And in many cases they have not been funded at all. They have been perfectly good bills but there was no money.

My problem is that we have money now, and we have money budgeted. If arrangements could be made so that that money would be available under this bill, we would have no problem. But money is still where it is. I am sure my colleagues will agree with that.

Mr. GOODLING. It is the restricted definition of refugees that we are having problems with. What I am trying to do is avoid conflict, so that we do not get into that battle.

Mr. White, I would ask you one question. Can you tell me how much your district has received totally for refugee education over a 6-year period?

Mr. WHITE. Our individual school districts?

Mr. GOODLING. I am sorry. I mean the State of California.

Mr. WHITE. No, sir, I do not have that figure here for the State as a whole. I will be glad to get it for you. However I can tell you how much we have received total per child, if that is of any help.

Mr. GOODLING. Yes, that will help.

Mr. WHITE. We have received over the 6 years \$947 per child for smaller districts, districts with less than 100 refugee children, and the larger districts have received \$1,547. That should be compared to a State average per pupil expenditure which is approaching \$2,000 per year, not even counting the extra costs of educating the refugee children. It is grossly inadequate.

Let me add one thing I omitted putting in my testimony. It has always been a source of concern to me that the General Refugee Authority and the money which is distributed under that pays 100 percent of the costs of welfare and health and other activities that are necessary for the refugees. But at best we have been able to get only a very small part of the costs of educating the children. That began with the first influx of refugees under the Ford administration. It was a policy established then, and we have never been able to change it.

Mr. GOODLING. Mr. Craig?

Mr. CRAIG. Thank you very much, Congressman Goodling.

My first question would be to Mr. Bell. Could you tell us, in numbers of students, what Dade County was like before, so I could get a feel for the kind of growth you have experienced?

Mr. BELL. We have experienced very rapid growth through the 1950s, 1960s and 1970s. In the last 3 or 4 years there has been a slight decline in population. That is in gross numbers.

As far as the ethnic characteristics of the school system, I believe I described those.

Mr. CRAIG. I mean prior to April of last year. You are telling us now that you are looking at an influx over a period of a year of approximately 18,000 students within that school district. How many students did you have enrolled prior?

Mr. BELL. It was 230,000 about 1 year ago.

Mr. CRAIG. Now you are looking at upwards of 250,000.

Mr. BELL. A little less than that, yes, sir.

Mr. CRAIG. I don't know how you have done it. I have to concur with my colleague.

Mr. BELL. I might point out that in order just simply to provide classroom space for the students, and this was planned and organized during the summer, we utilized virtually every vacant classroom in the district. We had to put some programs for the entrants on double session, having one group of children coming in at 7 in the morning, leaving at noon, another group coming in at 12:15 and leaving at 5:15 in order to utilize classroom space. We opened two elementary schools which had previously been closed.

We provided classroom space for some elementary children in junior highs in order not to have to transport them with buses we did not have and with funds we did not have and also to keep the transportation schedules down. We try not to transport children for over an hour, and in order to use some vacant space it would have required transportation greater than that.

We had to place orders for textbooks on an anticipated number of students during the summer even though we had no idea how many students would actually be there. We started employing and training teachers during the summer to have them available for the opening of school.

So what we did was simply, having had some previous experience with refugees, we planned the program, made the best estimates we could, utilized every available space, and still feel that there were programs and services which should have been provided that unfortunately we could not provide.

Mr. CRAIG. Mr. Bell, where did you get the money? Obviously you had to spend money. Where did it come from?

Mr. BELL. Fortunately the State of Florida in its financing of public education took a very enlightened act. That is it stabilized the per student value for funding throughout the State. Therefore, even though we experienced a tremendous increase, the per pupil reimbursement remained the same which was not true in previous years. This was largely because of the impact of Cuban-Haitian entrants.

Further, because of the fiscal 1980 appropriation and the anticipated revenue, which I will hasten to add we still have not received, we went to our school board prior to the opening of school and asked for authorization to spend \$250 per student in anticipated revenue. And we have expended those dollars. Now it is critical of course that we recover those dollars before the end of the year because it is illegal in the State of Florida to operate a school system in a deficit. You must have a balanced budget. We are facing critical dollar cash flow problems.

Mr. CRAIG. So you used tax anticipation notes or revenue anticipation notes, in this case to do some of your financing.

Mr. BELL. Yes, sir.

Mr. CRAIG. Mr. White, maybe you could tell us a little more of your State's experience of the assimilation of the refugees and the dollar amounts as it relates to where that money came from.

Mr. WHITE. The two basic groups of refugees who have come into California have quite different characteristics. The first group, the original Indochinese refugees, were from a relatively high strata of society in Vietnam. They were doctors and lawyers and other people who had worked primarily with the American contingent over in Vietnam. It was relatively easy for these people to be assimilated. It was still costly as far as the schools were concerned. But those initial Indochinese really have turned out to be quite good American citizens. They are hard working people in general and they have assumed their place in the American society and we are quite proud of them in terms of what they have done.

The second wave is quite different. It consists largely of hill tribesmen and people from tribal situations in the jungle frequently, the Hmong refugees for example. It happened that I spent 2 years over in Indochina with the Air Force in World War II and I have been in their villages over there. I know what it is like. These people frequently have no written language at all. They are not used to that. The children coming into school have never been to school a day in their lives in many cases. They have no understanding of public health.

We have a story which is probably apocryphal, but I am not sure. One of the families who came into Orange County, was delivered there from the Los Angeles airports, was given an apartment and some rice. So they proceeded to break up a chair and build a fire in the middle of the apartment floor so they could cook their rice for dinner, not knowing any different.

Children have come to school without any knowledge of sanitation procedures. It is all this kind of thing in the second wave. We feel that the second wave are going to be much harder to assimilate than the first wave. There will be much more welfare expense.

Mr. CRAIG. In those numbers, and I see the figures that you have provided, you are saying that there is a great deal more cost with the second wave. How many students are we talking about in that second wave?

Mr. WHITE. I will be glad to get that figure. I don't have it. But it is substantial. We have been receiving several thousand refugee families a month.

Mr. CRAIG. I believe you said that is continuing?

Mr. WHITE. Yes, sir, and it is expected to continue because there are 300,000 people in the camps now.

Mr. CRAIG. And these will be of this second wave type?

Mr. WHITE. In general I think they will be, that is right.

You asked where the money came from. The money came in general from the State of California, because now after proposition 13 we pay 80 percent of the cost of the local school district. Where it really comes from, and I am sure where it came from in Florida, is the education programs of other children are diminished to that

extent. We do a poorer job of educating our regular children so we can take care of our responsibilities to the refugee children.

Mr. CRAIG. Would you pursue that statement a little more? Is that representative in a reduction in dollars expended per student since the influx of these refugees? Can you equate it in that way or how do you equate it?

Mr. WHITE. It is not a reduction in dollars per student, because in California when a child walks into the school building, he generates State support. The only place where the difference might be would be in the local contribution of somewhat less than 20 percent to the cost of educating the child.

But since our total State budgets for education are limited, the fact that we have a substantial number of refugee children to educate who in general do not contribute to the tax burden as much as other citizens do, at least at the initial point they do not, simply means that we have to stretch the available resources that much further.

Mr. CRAIG. I see what you are saying. Thank you.

Thank you, Mr. Chairman.

Mr. GOODLING. I like your suggestion on page 5 and I believe that suggestion was echoed by one of the other witnesses: The whole idea of establishing a system that will be used to target those most in need. We don't know how much money we can get, and therefore that is going to be very, very important.

Does anyone else have anything to say?

We certainly want to thank you very much for testifying. As the chairman indicated, he is behind the effort and I know an awful lot of Congresspersons who are behind the effort. If there are any from California and Florida, particularly, who are not behind the effort, I will be surprised. I am sure they will be behind it after you are finished with it.

So we thank you very much for your testimony, and I would hope that Rich or Jack will get together with you folks and can assimilate some of your suggestions and ideas on the legislation and come up with something that you will be happy with and we will be happy with. Hopefully we can move this as quickly as possible.

While we are still on the record, I would like to ask that the hearing record remain open for 10 additional days.

Thank you. The hearing is adjourned.

[Thereupon, at 10:45 a.m., the subcommittee adjourned to reconvene subject to the call of the Chair.]

[Material submitted for inclusion in the record follows:]

ILLINOIS STATE BOARD OF EDUCATION,
Washington, D.C., May 13, 1981.

HON. CARL PERKINS,

Chairman, House Subcommittee on Elementary, Secondary and Vocational Education, Rayburn House Office Building, Washington, D.C.

DEAR REPRESENTATIVE PERKINS: Illinois is the fourth largest state in refugee school population. Although we have not had to face the same problems as California and Florida, our local school districts have had considerable financial difficulty meeting the special educational needs of these children. Therefore, we support Mr. Goodling's attempt in H.R. 3076 to consolidate the numerous and duplicative refugee education programs and to provide a permanent authority that would affirm the federal responsibility to provide transitional relief to local school districts.

While I understand the intent of the legislation, I am concerned about supporting another refugee bill. During Congressional deliberation of the Refugee Act of 1980 (Public Law 96-212), it was touted that the legislation would at last establish a coherent and comprehensive U.S. refugee policy. States were urged to support the legislation and we were assured by the Department of Education that the Transition Program for Refugee Children, funded through Public Law 96-212, would combine the various refugee education programs into one authorization. Two months ago we finally received our grant award for the Transition Refugee Program to be used for the 1980-81 school year. The fiscal year 1981 Continuing Resolution (Public Law 96-536) contains \$44 million for the program that will be used in the 1981-82 school year and the Administration is requesting \$21 million for fiscal year 1982 to be available for the 1982-83 school year.

I am aware of why the Cubans and Haitians had to be funded by a separate program and am pleased that H.R. 3076 would provide financial assistance to children and adults irrespective of their classification, distinction or status. However, I am sure you can understand my reluctance to endorse another program, since I would not want to jeopardize the funding anticipated under Public Law 96-212. I would also be unable to assure local school districts in Illinois as to whether H.R. 3076 would be funded.

Perhaps as a compromise, H.R. 3076 could contain language which would forward fund any appropriations request made in fiscal year 1982 to begin during the 1982-83 school year. This would give school districts ample time to prepare for another new program and would also afford the Department of Education time to prepare regulations without interfering with the funding available for the next school year. Therefore, if the Congress does provide money in the fiscal year 1982 appropriations request for the Transition Refugee program, we would hope you could assist us in reprogramming that money for H.R. 3076.

Sincerely,

ROBERTA WOJTON,
Washington Assistant.